



**Fw: ReCommunity Issue--Non-Deliberative**

Tab Tesnau To: Tab Tesnau

12/27/2012 11:43 AM

From: "VanKuiken, Matt (Stabenow)" <Matt\_VanKuiken@stabenow.senate.gov>  
To: Arvin Ganesan/DC/USEPA/US@EPA, Josh Lewis/DC/USEPA/US@EPA  
Date: 06/14/2012 03:51 PM  
Subject: ReCommunity Issue

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Hey Arvin and Josh

Sorry to bug you, but we've got a company asking for us to support a solid waste fuel determination for their product so that it is not classified as a solid waste within the CISWI rule. Is this something EPA is doing? I was under the assumption that the NHSM rule was still being finalized which would seem to make a fuel determination request now premature. Is that accurate or is EPA making these determinations?

We're not in a position to advocate either way on this, but our office (and a few others) are getting a bunch of emails/calls about this request so I wanted to check if this was something that EPA was currently working to make a determination on or whether this would be something more appropriate for when the rule is finalized. See attached for more information.

Thanks!

Matt

Matt VanKuiken  
Legislative Assistant  
Senator Debbie Stabenow  
133 Hart Office Building  
Washington, DC 20510  
202.224.4822



**SIGN UP FOR THE  
SENATOR'S NEWSLETTER**

[attachment "ReCommunity Characterization Request Letter.pdf" deleted by Arvin Ganesan/DC/USEPA/US]





**Fw: ReCommunity meeting--Non-Deliberative**  
Matt Straus to: Tab Tesnau

12/10/2012 11:30 AM

----- Forwarded by Matt Straus/DC/USEPA/US on 12/10/2012 11:29 AM -----

From: Jim Berlow/DC/USEPA/US  
To: David Cozzie/RTP/USEPA/US@EPA  
Cc: Alan Carpien/DC/USEPA/US@EPA, Amy Hambrick/RTP/USEPA/US@EPA, Charlene Spells/RTP/USEPA/US@EPA, George Faison/DC/USEPA/US@EPA, John Michaud/DC/USEPA/US@EPA, Marc Thomas/DC/USEPA/US@EPA, Matt Straus/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Rick Vetter/RTP/USEPA/US@EPA, Susmita Dubey/DC/USEPA/US@EPA, Wendy Blake/DC/USEPA/US@EPA  
Date: 06/27/2012 09:45 AM  
Subject: Re: Fw: ReCommunity meeting

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I am not available July 5,6,9, or 10. July 3 is the only date that works for me.

David Cozzie

Here are some proposed dates - any preferenc...

06/27/2012 09:39:23 AM

From: David Cozzie/RTP/USEPA/US  
To: Jim Berlow/DC/USEPA/US@EPA, Wendy Blake/DC/USEPA/US@EPA, Rick Vetter/RTP/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Susmita Dubey/DC/USEPA/US@EPA, George Faison/DC/USEPA/US@EPA, Marc Thomas/DC/USEPA/US@EPA, Matt Straus/DC/USEPA/US@EPA, John Michaud/DC/USEPA/US@EPA, Alan Carpien/DC/USEPA/US@EPA  
Cc: Charlene Spells/RTP/USEPA/US@EPA, Amy Hambrick/RTP/USEPA/US@EPA  
Date: 06/27/2012 09:39 AM  
Subject: Fw: ReCommunity meeting

---

Here are some proposed dates - any preferences? I am available July 3, 5 or 6, I know Wendy is out next week. Others?

Also, is there anyone else that needs to be included?

Thanks,

David

----- Forwarded by David Cozzie/RTP/USEPA/US on 06/27/2012 09:34 AM -----

From: <Claudia.O'Brien@lw.com>  
To: David Cozzie/RTP/USEPA/US@EPA  
Date: 06/26/2012 08:49 PM  
Subject: ReCommunity meeting

---

Dave

I'm responding for Bob, as he is out of the office until Thursday. We can be available to meet this Thursday or Friday, or July 5 or 6, or July 9 in the morning (so long as the meeting is in DC). (I'm heading out of the country the afternoon of July 9 and won't be back until July 27.) if those dates don't work, we could also meet July 3, although Bob may not be available that day.

Many thanks,  
Claudia

Sent with Good (www.good.com)

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**Fw: ReCommunity meeting--Non-Deliberative**  
Matt Straus to: Tab Tesnau

12/10/2012 11:28 AM

----- Forwarded by Matt Straus/DC/USEPA/US on 12/10/2012 11:28 AM -----

From: David Cozzie/RTP/USEPA/US  
To: Jim Berlow/DC/USEPA/US@EPA, Wendy Blake/DC/USEPA/US@EPA, Rick Vetter/RTP/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Susmita Dubey/DC/USEPA/US@EPA, George Faison/DC/USEPA/US@EPA, Marc Thomas/DC/USEPA/US@EPA, Matt Straus/DC/USEPA/US@EPA, John Michaud/DC/USEPA/US@EPA, Alan Carpien/DC/USEPA/US@EPA  
Cc: Charlene Spells/RTP/USEPA/US@EPA, Amy Hambrick/RTP/USEPA/US@EPA  
Date: 06/27/2012 09:39 AM  
Subject: Fw: ReCommunity meeting

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Date: 06/27/2012 09:43 AM  
Subject: Re: Fw: ReCommunity meeting

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You may want to make it the following week, since I think both Wendy and Susmita will be out next week. However, if you do schedule it for next week, try not to schedule it for July 3rd, as some of us may want to get out an hour or two early.

David Cozzie

Here are some proposed dates - any preferenc...

06/27/2012 09:39:24 AM

From: David Cozzie/RTP/USEPA/US  
To: Jim Berlow/DC/USEPA/US@EPA, Wendy Blake/DC/USEPA/US@EPA, Rick Vetter/RTP/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Susmita Dubey/DC/USEPA/US@EPA, George Faison/DC/USEPA/US@EPA, Marc Thomas/DC/USEPA/US@EPA, Matt Straus/DC/USEPA/US@EPA, John Michaud/DC/USEPA/US@EPA, Alan Carpien/DC/USEPA/US@EPA  
Cc: Charlene Spells/RTP/USEPA/US@EPA, Amy Hambrick/RTP/USEPA/US@EPA  
Date: 06/27/2012 09:39 AM  
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To: David Cozzie/RTP/USEPA/US@EPA  
Date: 06/26/2012 08:49 PM  
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Claudia

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**Fw: ReCommunity CBI**  
Tab Tesnau to: Tab Tesnau

12/31/2012 11:03 AM

The attached document was in the first CBI response to Hackett, but the transmittal e-mail was not.

From: "Wyman, Robert (LA)" <ROBERT.WYMAN@lw.com>  
To: Lisa Feldt/DC/USEPA/US@EPA, Joseph Goffman/DC/USEPA/US@EPA, Peter Tsirigotis/RTP/USEPA/US@EPA, Matt Straus/DC/USEPA/US@EPA, George Faison/DC/USEPA/US@EPA, Jim Berlow/DC/USEPA/US@EPA, David Cozzie/RTP/USEPA/US@EPA, Alan Carpien/DC/USEPA/US@EPA, Mimi Guernica/DC/USEPA/US@EPA, Susmita Dubey/DC/USEPA/US@EPA, Suzanne Rudzinski/DC/USEPA/US@EPA, Marc Thomas/DC/USEPA/US@EPA, Kevin Culligan/DC/USEPA/US@EPA, Amy Hambrick/RTP/USEPA/US@EPA, Charlene Spells/RTP/USEPA/US@EPA  
Cc: <MBernstein@mww.com>, "Hopson, Eli (DC)" <Eli.Hopson@lw.com>, "Lawless, Ben (DC)" <Ben.Lawless@lw.com>, "O'Brien, Claudia (DC)" <Claudia.O'Brien@lw.com>  
Date: 07/23/2012 07:22 PM  
Subject: ReCommunity

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All - Following up on the constructive discussion of last Tuesday, July 17, we are submitting the attached letter, which contains additional details in support of our request for confirmation that ReCommunity's ReEngineered Feedstock™ should be considered a fuel.

Please let me know if you have any further questions.

Best regards,

Bob

**Robert A. Wyman, Jr.**

LATHAM & WATKINS LLP  
355 South Grand Avenue  
Los Angeles, CA 90071-1560  
Direct Dial: +1.213.891.8346  
Fax: +1.213.891.8763  
Email: [robert.wyman@lw.com](mailto:robert.wyman@lw.com)



<http://www.lw.com> EPA Market Analysis Letter -Final.pdf





**Fw: ReCommunity - summary of July 27 call--Non-Deliberative**

Matt Straus to: Tab Tesnau

12/10/2012 11:38 AM

----- Forwarded by Matt Straus/DC/USEPA/US on 12/10/2012 11:38 AM -----

From: Peter Tsirigotis/RTP/USEPA/US  
To: <Eli.Hopson@lw.com>  
Cc: Ben.Lawless@lw.com, Claudia.O'Brien@lw.com, David Cozzie/RTP/USEPA/US@EPA, Dingrong.Bai@recommunity.com, George Faison/DC/USEPA/US@EPA, Jim Berlow/DC/USEPA/US@EPA, Jim.Bohlig@recommunity.com, Matt Straus/DC/USEPA/US@EPA, MBernstein@mww.com, Paula.Calabrese@recommunity.com, Ravi Srivastava/RTP/USEPA/US@EPA, ROBERT.WYMAN@lw.com  
Date: 07/27/2012 05:02 PM  
Subject: Re: ReCommunity - summary of July 27 call

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Thank you for the very quick follow up Eli. have a great weekend.

Peter,

07/27/2012 05:00:40 PM

From: <Eli.Hopson@lw.com>  
To: Peter Tsirigotis/RTP/USEPA/US@EPA  
Cc: <MBernstein@mww.com>, David Cozzie/RTP/USEPA/US@EPA, Ravi Srivastava/RTP/USEPA/US@EPA, <ROBERT.WYMAN@lw.com>, <Jim.Bohlig@recommunity.com>, <Dingrong.Bai@recommunity.com>, <Paula.Calabrese@recommunity.com>, <Claudia.O'Brien@lw.com>, <Ben.Lawless@lw.com>, Matt Straus/DC/USEPA/US@EPA, George Faison/DC/USEPA/US@EPA, Jim Berlow/DC/USEPA/US@EPA  
Date: 07/27/2012 05:00 PM  
Subject: ReCommunity - summary of July 27 call

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Peter,

Thank you again for taking the time to talk with us today, and on many prior occasions. We wanted to provide you with a short summary of our discussion today, as you requested. You specifically asked us for our understanding of the chemical processes behind dioxin production, and how ReCommunity expects ReEngineered Feedstock to perform compared to current 100% coal fired boilers.

As you know, the dioxin formation process involves complicated mechanisms in fuel combustion. In the case of coal fired boilers, dioxins are predominately produced by the so-called *de novo* reaction, which requires the following four basic necessary conditions, namely:

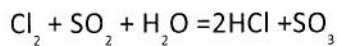
- $\text{Cl}_2$  as a chlorine donor,
- polyphenols as chlorine receptors,
- optimal temperature, and
- catalysts (in fly ash).

Because ReEngineered Feedstock will be co-fired with coal and contains sorbents that remove chlorine from the flue gas, it is reasonable to expect reductions in dioxin formation compared to 100% coal firings for the reasons we discussed, which are summarized below.

**Chlorine donor - molecular chlorine availability for dioxin formation is reduced:**

**1. Sorbents in ReEngineered Feedstock drive  $\text{Cl}_2$  removal**

The formation of dioxins and furans (PCDD/F) requires a chlorine donor –elemental chlorine ( $\text{Cl}_2$ ). It has been well documented from lab tests and field experience that sulfur inhibits formation of  $\text{Cl}_2$ . Sulfur inhibition can be explained by the chemical reaction



During ReEngineered Feedstock co-firing,  $\text{SO}_3$  will be absorbed more easily by the sorbent component of ReEngineered Feedstock, which also neutralizes HCl. As a result, the above reaction shifts towards the right (improving consumption of  $\text{Cl}_2$ ). Since  $\text{Cl}_2$  concentration in the flue gas is reduced, its availability to PCDD/F formation is reduced.

**2.  $\text{Cl}_2$  is removed prior to temperatures that allow dioxin formation**

Importantly, ReEngineered Feedstock delivers sorbent to be chemically available both in the boiler and immediately after the flue gas exits the boiler. This compares favorably to traditional after-treatment technologies that remove chlorine after the flue gas temperature has dropped into the dioxin formation ideal range (300-600° F). ReEngineered Feedstock's sorbent is available earlier in the combustion process, when temperatures far exceed that of the ideal dioxin formation, at around 1,800-2,200° F. As a result, there is likely to be far less chlorine actually available for dioxin formation at the later stage in the combustion process where PCDD/F are most likely to be formed. This should lead to dioxin formation below that of a similar 100% coal fired boiler.

**3. Molar Cl/S ratios of ReEngineered Feedstock in typical 20-30% cofiring indicate successful inhibition of dioxin formation**

Extensive research has demonstrated that when the S/Cl ratio is greater than about 3, the inhibition of PCDD/F formation by sulfur is consistent. In a typical cofiring scenario, ReCommunity estimates that the total fuel mixture's S/Cl molar ratio would be about 24. This ratio is significantly above the commonly required 3 to suggest significant inhibition of sulfur on PCDD/F formation. Note that with decrease in Cl in ReEngineered Feedstock due to the thermal treatment and PVC removal, this S/Cl goes even higher.

While we believe that those factors alone are indicative of reductions in dioxin formation, we



would also note that ReEngineered Feedstock is also likely to reduce chlorine receptor availability, and catalyst concentrations in fly ash. Polyphenols are produced due to incomplete combustion. ReEngineered Feedstock is highly volatile and manufactured to proper sizes to achieve complete combustion. In fact, due to its high volatility, ReEngineered Feedstock promotes coal combustion and thus the possibility of the occurrence of a *de novo* synthesis is reduced. ReEngineered Feedstock also contains lower levels of the most effective catalysts for the *de novo* reaction, copper and iron. Compared to the coal Cu (1-240 ppm) and Fe (77-140,000 ppm) contents, ReEngineered Feedstock contains considerably less Cu (0-50 ppm) and Fe (0-100 ppm), and thus should contribute fewer catalysts in the fly ash to promote dioxin formation.

**As a result, ReEngineered Feedstock is likely to reduce dioxin formation compared to facilities firing 100% coal.**

Thanks,  
-Eli

**Eli W.L. Hopson**

LATHAM & WATKINS LLP  
555 Eleventh Street, NW  
Suite 1000  
Washington, DC 20004-1304  
Direct Dial: +1.202.637.3304  
Fax: +1.202.637.2201  
Email: [eli.hopson@lw.com](mailto:eli.hopson@lw.com)  
<http://www.lw.com>

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ReCommunity CBI  
Tab Tesnau to: Tab Tesnau

12/31/2012 11:08 AM

EPA Response to ReCommunity

the letter to ReCommunity is on the EPA website at  
<http://www.epa.gov/osw/nonhaz/define/index.htm>

From: <ROBERT.WYMAN@lw.com>  
To: George Faison/DC/USEPA/US@EPA, <Claudia.O'Brien@lw.com>  
Cc: Jim Berlow/DC/USEPA/US@EPA  
Date: 08/24/2012 06:52 PM  
Subject: RE: ReCommunity Letter

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George and Jim – thanks so very much for getting the letter out. We will read it with great interest. We greatly appreciate your time on this.

Very best,

Bob

**From:** George Faison [mailto:Faison.George@epamail.epa.gov]  
**Sent:** Friday, August 24, 2012 3:11 PM  
**To:** O'Brien, Claudia (DC); Wyman, Robert (LA)  
**Cc:** Jim Berlow  
**Subject:** ReCommunity Letter

Claudia and Bob -

The attached letter from Jim Berlow, Director, Program Implementation and Information Division, is in response to your letters of February 17 and 22, 2012 regarding the Non-Hazardous Secondary Materials (NHSM) rule, and whether ReEngineered Feedstock proposed to be generated by ReCommunity is a non-waste under that rule.

If you have any questions, please contact the staff mentioned at the conclusion of the letter.

Have a great weekend !

*(See attached file: ReCommunity Letter August 24.pdf)*

George Faison  
U.S. Environmental Protection Agency  
OSWER, ORCR  
1200 Pennsylvania Ave. NW  
Mail Code 5303 P  
Washington, DC 20460

Phone - (703)305-7652  
Fax - (703)308-8638  
[faison.george@epa.gov](mailto:faison.george@epa.gov)

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